

Remarks/Arguments

Claims 1-12 and 46-47 were pending in the application. Claims 1-12 and 46-47 were rejected. No claims were merely objected to and no claims were allowed. By the foregoing amendment, no claims are canceled, claim 1 is amended, and no new claims are added. Support for the claim amendments may be found in the claims as originally filed. No new matter is presented.

Rejection under 35 U.S.C. §112, second paragraph

The examiner asserts claim 1 is rejected under 35 U.S.C. §112, second paragraph. Applicants have amended claim 1 to replace the term “microserver card” with the term “microserver”.

For at least this reason, Applicants contend amended independent claim 1 satisfies the statutory requirements under 35 U.S.C. §112, second paragraph.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. §112, second paragraph, and find claim 1 is allowable.

Rejections under 35 U.S.C. §102

The examiner asserts claims 1-3, 5-12 and 46-47 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S.P.N. 7,050,943 McCarthy IV et al. (“McCarthy”). Applicants traverse the rejection.

In framing the present rejection, the examiner relies in part upon the teachings of McCarthy at col. 2, lines 29-51; col. 2, line 52 – col. 3, line 3; col. 3, lines 4-33. Upon closer inspection, McCarthy does not teach either explicitly or inherently the use of a microserver, the generation of a wireless system adapted to connect to the internet, or the use of a microserver for generating a wireless system adapted to connect to the internet as recited in Applicants’ independent claims 1 and 46.

At col. 3, lines 34-44, McCarthy teaches the following:

“FIG. 3 is a schematic illustration of an exemplary network architecture 300 that may be used with combustion dynamics monitor (CDM) 32 and onboard system monitor (OSM) 35 (shown in FIG. 2). The network includes a broadband segment 302 communicatively coupled to at least one client application 304. In the

exemplary embodiment, broadband segment 302 is a private intranet for communicating gas turbine control system tuning information between remote turbine sites and tuning engineers located at a home office or other remote turbine sites. In an alternative embodiment, broadband segment 302 is the Internet.”

At col. 3, lines 47-48, McCarthy teaches the following:

“A server 310 is coupled to narrow-band segment 308. In the exemplary embodiment, narrow-band segment 308 is a remote access server and server 310 is onboard system monitor (OSM) 35 and/or combustion dynamic monitor (CDM) 32.”

At col. 3, line 52 – col. 4, line 14, McCarthy teaches the following:

“In operation, OSM 35 and CDM 32 monitor turbine operating parameters locally. For tuning OSM 35 and CDM 32, a dial-up connection is established with narrowband segment 308 from OSM 35 and CDM 32. In the exemplary embodiment, clients 304 are monitoring workstations located remotely from the turbine being tuned. At a remote location, a tuning engineer is able to monitor the gas turbine operation from a client 304 configured as a tuning workstation. The tuning engineer then communicates tuning instructions to a technician located at the turbine engine. ***Data received by OSM 35 and CDM 32 is transmitted through narrowband segment 308 as a stream of data.*** Split/Relay 306 receives the data stream into a buffer, splits the stream into data packets which may then be transmitted to a predetermined list of clients through broadband segment 302. In the exemplary embodiment, a User Datagram Protocol (UDP) protocol is used to transmit the data packets. ***Split/Relay 306 monitors it's input socket to listen for incoming traffic, when traffic from narrowband segment 308 arrives it is read into a buffer where it is read and then packetized for transmission to a list of clients.*** The packet is transmitted to each respective client output socket, wherein when the end of the client list is reached, Split/Relay 306 reinitializes the client list and waits for a next input data stream to arrive. ***In the exemplary embodiment, Split/Relay 306 inserts a source IP address to each data packet prior to transmitting the packet through broadband segment 302.*** Each client 304 may then read the source IP address in each data packet and discard any message that is not from a source from which client 304 is expecting communications.” (emphasis added)

Applicants contend McCarthy does not teach employing a microserver for generating a wireless system adapted to connect to the Internet as recited in Applicants’ claims 1 and 46. McCarthy teaches employing a server 310 that is an onboard system monitor (OSM) 35 and/or combustion dynamic monitor (CDM) 32. The server 310 receives a stream of data through the narrow-band segment 308 via a dial-up connection. The stream of data from the narrowband segment 308 is read and packetized for

transmission from Split/Relay 308 through to the broadband segment 302. Applicants draw the Examiner's attention to the teachings of McCarthy that server 310 is not a microserver equipped with a microserver card as recited in claims dependent upon independent claims 1 and 46. Nowhere does McCarthy teach either expressly or inherently that server 310 is a microserver or contains a microserver card.

Notwithstanding that fact, McCarthy also fails to disclose the server generates a wireless internet system. McCarthy expressly teaches a stream of data is transmitted via a dial-up connection to a narrowband segment of the server 310. That information then undergoes certain permutations, such as being packetized, before being transmitted to the broadband segment, that is, the Internet as taught by McCarthy. The Examiner must acknowledge this system taught by McCarthy is neither expressly or inherently equivalent to a wireless internet system recited in Applicants' claims 1 and 46. In order to anticipate Applicants' claims, McCarthy must teach each and every claim element of Applicants' claims, and McCarthy fails to do so.

For at least this reason, Applicants contend claims 1-3, 5-12 and 46-47 are not anticipated by the teachings of McCarthy.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. §102(e) and find claims 1-3, 5-12 and 46-47 are allowable.

CONCLUSION

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,
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